

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton
: Crim. No. 07-949 (SDW)
v. :
: CONTINUANCE ORDER
ANDRE JOHNSON :
a/k/a "O.G. 8-Ball" :

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by David E. Malagold and R. Joseph Gribko, Assistant U.S. Attorney), and defendant Andre Johnson (by John Caruso, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of the indictment pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested and consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- i. Plea negotiations regarding a possible disposition are currently in progress, and both the United States and the defendant desire additional time to meet and confer regarding a disposition, which would render trial of this matter unnecessary and save judicial resources;

- ii. Counsel for the defendants needs additional time to review the conversations and prepare for trial if a plea agreement is not reached;
- iii. Defendant has consented to and requested the aforementioned continuance;
- iv. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;
- v. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(B)(i), failure to grant this continuance would result in a miscarriage of justice;
- viii. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(B)(iv), failure to grant this continuance would deny the counsel for the defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

WHEREFORE, on this 24th day of ~~August~~ September, 2008,

IT IS ORDERED that trial in this matter is continued from August 19, 2008 to October 21, 2008;

IT IS FURTHER ORDERED that the period from August 19, 2008 to October 21, 2008, inclusive, shall be excludable in computing

time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8); and

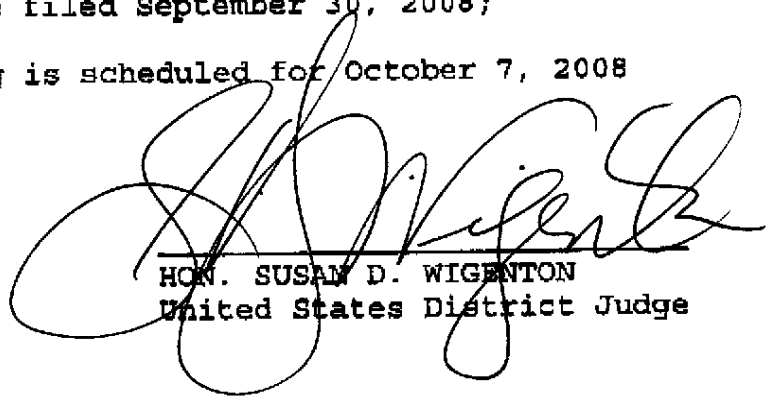
Nothing in this order shall preclude a finding that additional periods of time are excludable under the Speedy Trial Act of 1974.

IT IS FURTHER ORDERED THAT:

Motions must be filed by September 16, 2008;

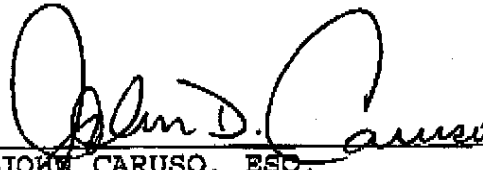
Responses must be filed September 30, 2008;

A motions hearing is scheduled for October 7, 2008




HON. SUSAN D. WIGENTON
United States District Judge

Consented to by:



JOHN CARUSO, ESQ.
Counsel for Defendant



R. JOSEPH GRIBKO
Assistant United States Attorney